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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,282	10/19/2006	Toyoshi Tokimoto	1248-0820PUS1	9065

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EXAMINER

STRONCZER, RYAN S

ART UNIT	PAPER NUMBER
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2425

NOTIFICATION DATE	DELIVERY MODE
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07/22/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No.	Applicant(s)	
	10/553,282	TOKIMOTO ET AL.	
	Examiner	Art Unit	
	Ryan Stronczer	2425	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,13 and 15 is/are pending in the application.
- 4a) Of the above claim(s) 5,7-9,11,12,14 and 16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,13 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3 April 2009 has been entered.

Response to Arguments

Applicant's arguments with respect to claims 1, 3, 4, 13, and 15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida et al. (US Pat. No.: 6,930,661) and further in view of Trovato et al. (US Pat. No.: 6,445,306).

Regarding claim 1, Fig. 1 of Uchida teaches a bi-directional communication system comprising a base apparatus and a display apparatus. Fig. 1 of Uchida teaches the recited wireless center having, “[1] a tuner section for performing channel selection [*‘base apparatus **200** has an antenna **201** and a tuner for receiving and selecting analog television broadcast signals’* (col. 4/lines 43-44)] and [2] a first transmitting/receiving section for transmitting/receiving broadcast information of a channel selected by the tuner section and other data [*‘the base apparatus can compress data, such as a video signal and/or an audio signal from a television program...[which] is formed into a transmission signal and transmitted to the display apparatus 100’* (col. 4/57-62)].”

As to the recited AV output device, the display apparatus taught by Uchida teaches the recited “[1] a display section (*Fig. 1, **107**; col. 4/63-37*), [2] a channel selection input section for receiving an input operation causing the tuner section to perform channel selection (*Fig. 1, **CP**; col. 5/6-10*), [and] [3] a second transmitting/receiving section capable of receiving the broadcast information and transmitting/receiving data wirelessly to/from the first transmitting/receiving section (*Fig. 2, **101, 111, 112***)”

Though Uchida teaches that the display apparatus contains ROM, RAM, and EEPROM memory modules 132-134 which can store “*various processing programs to be executed by the display apparatus 100, predetermined display data for the control panels corresponding to the connected external input apparatuses...[and] various setting parameters*” (col. 6/32-52), Uchida does not explicitly teach that the display apparatus contains the recited “...[4] a first channel identification information memory

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section for storing channel identification information being available for identifying a channel selected by the up-down input operation.” Further, while Fig. 5 of Uchida teaches a method by which that the wireless display apparatus converts remote control inputs into corresponding system commands and wirelessly transmits said control signals to the base device, Uchida does not explicitly teach that the command conversion section converts “the up-down input operation for a channel selection to a direct channel selection command that is transmitted to the wireless center,” as is recited in the amended claim.

In an analogous art, Fig. 3 of Trovato teaches a system comprising a plurality of lists **251-3** identifying programs and their corresponding channels and a channel determinator **260** that determines what channel to tune in response to a channel up/down input. Specifically, Trovato teaches:

When the user communicates an increment or decrement command 201, by activating, for example, the increment control 101...The channel determinator 280 determines the channel number 281 corresponding to the selected entry and communicates this number to the appliance 150 to effect the selection of this channel...The channel determinator 280 may merely extract a channel number 281 from the entry in the list. Alternatively, if the entry in the list contains a network identifier, such as NBC, CNN, and so on, the channel determinator 280 also includes a transformation table for transforming the network identifier to a channel number 281 for use by the appliance 150. (col.6/40-58)

The lists and transformation table taught by Trovato are equivalent to the recited first channel identification memory and the channel determinator performs the equivalent function of the recited command conversion section. Regarding the limitation that the command conversion section converts an up/down channel selection command to a direct channel selection command, Trovato teaches:

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[w]hen the user enters an increment/decrement command 201, the remote control 100 *[comprising said channel determinator]* extracts the next or prior channel number from the selected list and communicates the channel number directly to the channel selector 110, equivalent to the user explicitly entering this channel number on a conventional remote control 100" (col. 7/9-14).

Trovato further teaches, "[a]s would be evident to one of ordinary skill in the art, the functional blocks of FIG. 3 may be located in the channel selector 110, in the remote control 100, or distributed between the channel selector 110 and the remote control 100" (col. 6/59-63). As Uchida teaches that the wireless display apparatus functions as a remote control and comprises a plurality of memory devices, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the remote control functionality of Uchida's display apparatus to comprise the channel lists and determinator taught by Trovato, such a modification being a combination of known elements that would have yielded predictable results to one of ordinary skill in the art at the time of the invention. This would have been desirable as one of ordinary skill in the art at the time of the invention would recognize that performing said channel determination at the wireless device would have reduced processing time and bandwidth.

Claims 3, 4, 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida in view of Trovato as applied to claim 1 above, and further in view of Hakamada et al. (US Pat. No.: 4,870,492).

As to claim 3, the rejection of claim 1 is incorporated herein. While Uchida and Trovato teach system and first channel identification information recited in claim 1, it

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does not explicitly recite that said information indicates “whether or not a station has been registered for a channel selected by the up-down input operation,” as recited. In an analogous art, Fig. 1 of Hakamada teaches a channel table with a skip flag associated with each channel. Hakamada teaches that “[t]he auto-programming feature determines which channels are in use and stores skip channel data in a memory so that unused channels are not accessed by the user” [ABST]. It would have been obvious to one of ordinary skill in the art at the time of the invention that the channel transformation table taught by Trovato and stored in the memory of the wireless display apparatus could be modified to include the skip data taught by Hakamada. This would have been desirable so that the channel determinator would be able to bypass channels that are not in use when converting an up/down channel selection command into a direct channel selection command. The skip channel data indicating unused channels taught by Hakamada is equivalent to the recited indicating “whether or not a station has been registered for a channel selected by the up-down input operation,” as recited.

As to claim 4, Fig. 3 of Hakamada teaches a method for performing an automatic channel scan of and setting the corresponding skip flags for all available channels, such that “the skip flag data SFLG of all the channels are checked, whereby the skip flag data SFLG of selected channels and those on which no television signal is received have their skip flag data SFLG reset to the skip mode (SFLG= '0') and those channels through which a television signal is received are set to ‘1’” (col. 3/line 39—col. 4/line 18). As the display apparatus taught by Uchida does not have a tuner, it would have been obvious to one of ordinary skill in the art at the time of the invention that the this channel

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scan could be conducted by the base unit of Uchida's system and that the channel identification information would be transmitted from the base device to the display device to be stored in the memory **132-4** of the display device.

As to claim 13, the rejections of claims 3 and 4 are incorporated herein. Fig. 5 of Uchida teaches the mechanism by which the display device wirelessly transmits control signals to the base device. The second step:

[2] collecting, based on a result of the channel selection performed by the tuner section, channel identification information including skip information indicative of whether or not a station has been registered for each channel and transmitting the channel identification information to the AV output device wirelessly

is equivalent to the automatic channel scan taught by Fig. 3 and col. 3/line 39—col. 4/line 18 of Hakamada. As analyzed above, since the wireless display apparatus taught by Uchida does not have a tuner, it would have been obvious to one of ordinary skill in the art at the time of the invention that the this channel scan could be conducted by the base unit of Uchida's system and that the channel identification information would be transmitted from the base device to the display device to be stored in the memory **132-4** of the display device.

As to the third recited step:

[3] storing the transmitted channel identification information in the memory section, detecting, responsive to an up-down input operation in the channel selection input section, a channel identified with reference to the channel identification information stored in the memory section, generating a direct channel selection command for selecting the identified channel, transmitting the direct channel selection command to the wireless center side wirelessly and causing the tuner section to directly perform channel selection without having to decode and convert an up-down channel selection command, received by the wireless center from the AV output device and which is not a direct channel selection command, to a direct channel selection command,

the transformation table comprising channel skip information taught by Trovato and Hakamada which is stored in the memory of the wireless display apparatus of Uchida (as analyzed above) performs the recited storing transmitted channel identification information in the memory. The recited detecting a channel identified with reference to the channel identification information and generating a direct channel selection are performed by the channel determinator of Trovato as cited above w/r/t claim 1.

As to claim 15, the rejection of claim 13 is incorporated herein. Fig. 6 of Uchida teaches the amended first step of “[1] wirelessly receiving the input operation from the AV output device at the wireless center and causing the tuner section to perform the channel selection based on the input operation.” As to the second step of the method, the recited “[2] collecting at the wireless center, based on a result of the channel selection, channel identification information including skip information indicative of whether or not a station has been registered for each channel...,” is taught by the automatic channel scan taught by Fig. 3 and col. 3/line 39—col. 4/line 18 of Hakamada as analyzed above. The amended limitation that “...the channel identification information serving as a reference for the AV output device to generate a direct command to cause the tuner section to directly select a channel identified by an up-down channel selection at the channel input section.” is taught by the channel determinator of Trovato which is located in the wireless display apparatus of Uchida and references the transformation table comprising channel skip information taught by Trovato and Hakamada, stored in the memory of the wireless display apparatus of

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Uchida (as analyzed above). As to the third step of “[3] transmitting the channel identification information wirelessly to the AV output in one transmission from the wireless center,” Fig. 5 of Uchida teaches a method by which that the wireless display apparatus converts remote control inputs into corresponding system commands and wirelessly transmits said control signals to the base device.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan Stronczer whose telephone number is (571) 270-3756. The examiner can normally be reached on 7:30 AM - 5:00 PM (EDT), Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Brian T. Pendleton can be reached on (571) 272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ryan Stronczer/
Examiner, Art Unit 2425

/Brian T. Pendleton/
Supervisory Patent Examiner, Art Unit 2425